

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | |
|---------------------------------------|--------------------------------------|
| | X |
| In re STATE STREET BANK AND TRUST | : MDL No. 1945 |
| CO. FIXED INCOME FUNDS | : |
| INVESTMENT LITIGATION | : |
| | : |
| NING YU, On Behalf of Himself and All | : Civil Action No. 1:08-cv-08235-PAC |
| Others Similarly Situated, | : (Relates to MDL No. 1945) |
| | : |
| Plaintiff, | : <u>CLASS ACTION</u> |
| | : |
| vs. | : |
| | : |
| STATE STREET CORPORATION, et al., | : |
| | : |
| Defendants. | : |
| | X |

NOTICE OF MOTION AND MOTION FOR (1) FINAL APPROVAL OF SETTLEMENT
AND PLAN OF ALLOCATION OF SETTLEMENT PROCEEDS; AND (2) AN AWARD OF
ATTORNEYS’ FEES AND EXPENSES

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that on September 6, 2012, at 2:00 p.m., at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, or as soon thereafter as counsel may be heard before the Honorable Paul A. Crotty, United States District Judge, Lead Plaintiff Anatoly Alexander ("Lead Plaintiff") will and hereby moves for orders and/or judgments: (1) finally approving the settlement of this class action and dismissing the litigation with prejudice and approving the Plan of Allocation of settlement proceeds; and (2) awarding Co-Lead Counsel attorneys' fees of 33% of the Settlement Fund plus expenses of \$146,513.94, plus interest on both amounts. Lead Plaintiff's motion is based upon the Memorandum of Law in Support of Motion for Final Approval of Settlement and Plan of Allocation of Settlement Proceeds, the Memorandum of Law in Support of Motion for an Award of Attorneys' Fees and Expenses, the declarations submitted in support thereof, the Settlement Agreement, all other pleadings and matters of record, and such additional evidence or argument as may be presented in Lead Plaintiff's motion or at the hearing on Lead Plaintiff's motion.

DATED: August 16, 2012

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2012, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 16, 2012.

s/ Ellen Gusikoff Stewart

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The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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